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Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein Oavd (K.S. Goldstein) Oavd (K.S. Gorriwell Robert (W.S. Esmool Richael B. Raby Michael B. Raby Nichael B. Raby Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcom Robert E. Millonig Lawrence B. Bügaisky Donald J. Featherstone Michael V. Messinger Judith U. Kim Timothy J. Shea, Jr. Patrick, E. Garrett Heidill McRaus Edward W. Yee Abbert L. Ferd Donald R. Banowit Peter A. Jackman Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capusan Vincent L. Capusan Vincent L. Capusan Vincent L. Garbano Virgil Lee Beaston Kimberly N. Reddick

Ineodore A. Wood Elizabeth J. Haanes Bruce, E. Chalker Joseph S. Ostroff Frank R. Gettineham Christine M. Lhuller Ree Lynn Prengaman Jane Shershenovich Lawrence J. Carroll' George S. Bardmesser Daniel A. Klein' Rodney G. Maze Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy E. Muller' Jon E. Wright' LuAnne M. Yuricek' John J. Figueroa Ann E. Summerfield Registered Patent Agents -Kareñ Pañártowicz Nancy J. Leith Helene C. Carlson Gaby L. Longsworth Matthew J. Dowd Aaron L. Schwartz Mary B. Tung Katrina Y. Pei Bryan L. Skelton Robert A. Schwartzman Timothy A. Doyle Jennifer R. Mahalingappa Teresa A. Colelia Jeffrey S. Lundgren Victoria S. Rutherford Eric D. Hayes

Of Counsel Kenneth C. Bass III Evan R. Smith

*Admitted only in Maryland

*Admitted only in Virginia

Practice Limited to
Federal Agencies

August 15, 2003

WRITER'S DIRECT NUMBER: (202) 772-8508 INTERNET ADDRESS: EFLOYD@SKGF.COM

RECEIVED

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 AUG 1 5 2003

OFFICE OF PETITIONS

Via Hand Carry Office of Petitions

Re: U.S. Utility Patent Application

Appl. No. 08/479,038; Filed: June 7, 1995

For: Supplemented and Unsupplemented Tissue Sealants, Methods of

Their Production and Use

Inventors: Drohan et al.

Our Ref: 1327.0440006/JAG/EEF

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Request To Correct Inventorship In A Nonprovisional Patent Application Under 37 C.F.R. § 148(a)(1);
- 2. Petition for Waiver under 37 C.F.R. § 1.183 of the Requirement under 37 C.F.R. § 1.48(a)(3) for Martin J. MacPhee's Re-executed Oath or Declaration accompanied by:
 - a. Exhibit A -Affidavit Pursuant to 37 C.F.R. § 1.47;
 - b. Exhibit B Letter dated April 9, 2003;
 - c. Exhibit C Letter dated April 18, 2003;
 - d. Exhibit D Letter dated May 5, 2003;
 - e. Exhibit E Letter dated June 3, 2003;
- 3. Original Combined Declaration and Power of Attorney for Patent Application executed by Wilson H. Burgess and William N. Drohan;

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

- 4. Original Combined Declaration and Power of Attorney for Patent Application executed by Hernan Nunez;
- 5. Original Combined Declaration and Power of Attorney for Patent Application executed by Gene Liau;
- 6. Original Combined Declaration and Power of Attorney for Patent Application executed by Thomas Maciag;
- 7. Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor executed by Wilson H. Burgess;
- 8. Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor executed by Hernan Nunez;
- 9. Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor executed by Gene Liau;
- 10. Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor executed by Thomas Maciag;
- 11. Consent of the Assignee under 37 C.F.R. § 1.48(a)(5) executed by the American National Red Cross;
- 12. Copy of the Certificate Under 37 C.F.R. § 3.73(b) executed by the American National Red Cross;
- 13. Ninth Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.56;
- 14. Form PTO 1449 citing documents AS75, AT75, AR76, AS76, AT76, AR77, AS77, AT77, AR78, AS78, AT78, AR79, AS79, AT79, AR80, AS80, AT80, AR81, AS81, AT81, AR82, AS82, AT82, AR83, AS83, AT83, AR84, AS84, and AT84;
- 15. A copy of each of the 29 cited documents;
- 16. PTO Fee Transmittal Form (PTO/SB/17);
- 17. PTO-2038 Credit Card Payment Form in the amount of \$ 440.00 to cover:
 - \$ 180.00 Late Submission of Information Disclosure Statement;
 - \$ 130.00 processing fee under 37C.F.R. 1.17(h);
 - \$ 130.00 processing fee under 37C.F.R. 1.17(h); and

Commissioner for Patents August 15, 2003 Page 3

18. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd Attorney for Applicants Registration No. 39,967

JAG/EEF/M-G Enclosures

::ODMA\MHODMA\SKGF_DC1;167069;1 SKGF Rev. 2/15/02 dcw; 4/18/03 svb

PTO/SB/17 (05-03)
Approved for use through 4/30/2003. OMB 0651-0032 of Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 440.00

s are required to respond to a co	n of information unless it displays a valid OMB control number.
	Complete if Known
Application Number	09/479,038
Filing Date	June 7, 1995
First Named Inventor	William N. Drohan
Examiner Name	Marschel, A.
Art Unit	1631
Attorney Docket No.	1327.0440006/JAG/EEF

		Attorney	DOUNG		1327.0440006/JAG/EEF	
METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued)						
☐ Check 🌣 Credit card ☐ Money Order 💆 Other** ☐ None	3. AE	DITION	AL FE	ES		
☐ Check	Large	Entity	Sm	all Ent	tity	
I		Fee Fee (\$) Co	Fee de (\$)	•	Fee Description	Fee Paid
Deposit Account Deposit Account Number 19-0036		(0)	- (0)			
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.	1051	130	2051	65	Surcharge - late filing fee or oath	
The Commissioner is authorized to: (check all that apply)	1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
☐ Charge fee(s) indicated below ☐ Credit any over payments	1053	130	1053	130	Non-English specification	
☐ Charge any additional fee(s) during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
application	1804	920*	1804	920*	Requesting publication of SIR prior to Examine	4
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1 840*	action Requesting publication of SIR after Examiner	
·	1003	1,040	1005	1,040	action	
	1251	110	2251	55	Extension for reply within first month	
	1252	410	2252	205	Extension for reply within second month	
FEE CALCULATION	1253	930	2253	465	Extension for reply within third month	
1. BASIC FILING FEE	1254	1,450	2254	725	Extension for reply within fourth month	
Large Entity Small Entity	1255	1,970	2255	985	Extension for reply within fifth month	
Fee Fee Fee Fee Fee Description Fee Paid Code (\$)	1401	320	2401	160	Notice of Appeal	
Code (\$) Code (\$) 1001 750 2001 375 Utility filing fee	1402	320	2402	160	Filing a brief in support of an appeal	
1002 330 2002 165 Design filing fee	1403	280	2403	140	Request for oral hearing	
1003 520 2003 260 Plant filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1004 750 2004 375 Reissue filing fee	1452	110	2452	55	Petition to revive - unavoidable	<u> </u>
1105 160 2005 80 Provisional filing fee	1453	1,300	2453	650	Petition to revive - unintentional	
CUPTOTAL (4) (C)	1501		2501	650	Utility issue fee (or reissue)	ļ
SUBTOTAL (1) (\$)	1502		2502	235	Design issue fee	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from	1502		2502	200	Design issue fee	
Extra below Fee Paid	1503	630	2503	315	Plant issue fee	
Total Claims 20** = X =	1460	130	1460	130	Petitions to the Commissioner	130.00
Indep. Claims 3** = X =	1807	50	1807	50	Processing fee under 37 CFR 1.17(h)	130.00
Multiple Dependent =	4000	400				
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
Fee Fee Fee Fee <u>Fee Description</u> Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	750	2809	375	Filing a submission ofter final rejection (27 CEE	
1201 84 2201 42 Independent claims in excess of 3	4040	750	2040	075	1.129(a))	
1203 280 2203 140 Multiple dependent claim, if not paid	1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1204 84 2204 42 **Reissue independent claims over original patent	1801	750	2801	375	Request for Continued Examination (RCE)	
1205 18 2205 9 **Reissue claims in excess of 20	1802	900	1802	900	Request for expedited examination of a design	
and over original patent					application	L
SUBTOTAL (2) (\$)	Other	fee (spe	city) _			
**or number previously paid, if greater; For Reissue, see above	* Red	uced by	Basic I	Filing F	ee Paid SUBTOTAL (3) (\$)_	440.00
SUBMITTED BY					Complete (if applicable)	
Name (Print/Type) Eldora Ellison Floyd		tration Name			39,967 Telephone 202-37	1-2600
Signature 900	2	AL			Date Ava .15	2003
WARNING: Information on this form may	_	-				

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For:

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Confirmation No. N/A

Art Unit: 1631

Examiner: Marschel, A.

Atty. Docket: 1327.0440006

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AUG 1 5 2003

OFFICE OF PETITIONS

Request To Correct Inventorship In A Nonprovisional Patent Application Under 37 C.F.R. § 1.48(a)(1)

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants request that the United States Patent and Trademark Office correct inventorship in the above-captioned nonprovisional patent application for which an oath or declaration has already been filed. Specifically, Applicants request that the Office change the inventorship in this application from William N. Drohan and Martin J. MacPhee to William N. Drohan, Martin J. MacPhee, Thomas Maciag, Wilson H. Burgess, Gene Liau and Hernan Nunez.

This request is accompanied by:

(1) A statement from each of Gene Liau, Wilson H. Burgess, Hernan Nunez and Thomas Maciag, each to be added as an inventor, stating that the error in inventorship was made without deceptive intent on his part;

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- (2) An oath or declaration by the actual inventors, William N. Drohan, Martin J. MacPhee, Thomas Maciag, Wilson H. Burgess, Hernan Nunez and Gene Liau, as required by 37 C.F.R. § 1.64 or as permitted by 37 C.F.R. §§ 1.42, 1.43 or 1.47;
- (3) A petition for waiver under 37 C.F.R. § 1.183 of the requirement under 37 C.F.R. § 1.48(a)(3) for a re-executed Declaration of Martin J. MacPhee accompanied by Exhibits A-E;
- (4) A processing fee of \$130.00 for the petition in part (3) as set forth under 37 C.F.R. § 1.17(h), included in the fee payment provided in our accompanying PTO-2038 Credit Card Payment Form;
- (5) The written consent of the American National Red Cross, assignee of the originally named inventors, under 37 C.F.R. § 1.48(a)(5);
- (6) A copy of the Certificate under 37 C.F.R. § 3.73(b) executed by the assignee named in part (5) as filed on August 4, 2000; and

(7) A processing fee of \$130.00 for this Request to Correct Inventorship as set forth under 37 C.F.R. § 1.17(i), included in the fee payment provided in our accompanying PTO-2038 Credit Card Payment Form.

An Information Disclosure Statement under 37 C.F.R. § 1.56 is being filed herewith summarizing any disputed inventorship matters relevant to the above-captioned application.

Applicants hereby authorize the U.S. Patent and Trademark Office to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this request is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd
Attorney for Applicants

Registration No. 39,967

Date: 315/02

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

::ODMA\MHODMA\SKGF_DC1;138031;1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For: Suppler

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Confirmation No. N/A

Art Unit: 1631

Examiner: Marschel, A.

Atty. Docket: 1327.0440006

RECEIVED

AUG 1 5 2003

OFFICE OF PETITIONS

Petition for Waiver under 37 C.F.R. § 1.183 of the Requirement under 37 C.F.R. § 1.48(a)(3) for Martin J. MacPhee's Re-executed Oath or Declaration

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants request that the United States Patent and Trademark Office waive the requirement for a re-executed oath or declaration of Martin J. MacPhee, as required by 37 C.F.R. § 1.48(a)(3). Applicants submit herewith evidence of Dr. MacPhee's refusal and/or unavailability to sign the declaration (see Exhibits A-E accompanying this petition).

Dr. MacPhee's refusal and/or unavailability to re-execute his declaration results in an extraordinary situation, in which justice requires that the requirement for Dr. MacPhee's re-executed declaration be waived. Usually, inventors are willing to acknowledge their inventive contribution to an application, as Dr. MacPhee has done previously by signing the original declaration in the above-captioned application. Thus, Dr. MacPhee's refusal and/or unavailability to re-execute the declaration results in an extraordinary situation. Justice requires waiver of the requirement so that Dr. MacPhee's refusal and/or unavailability does

not preclude the addition of other, rightful co-inventors, who were, through error, not originally named.

In view of these circumstances, Applicants respectfully request that the requirements of 37 C.F.R. § 1.48(a)(3) be waived. This request is accompanied by a processing fee of \$130.00 for the petition, as set forth under 37 C.F.R. § 1.17(h), included in the fee payment provided in our accompanying PTO-2038 Credit Card Payment Form.

Applicants hereby authorize the U.S. Patent and Trademark Office to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd Attorney for Applicants Registration No. 39,967

Date: Aros 1

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

SKGF_DC1:161897.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For:

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Confirmation No. N/A

Art Unit: 1631

Examiner: Marschel, A.

Atty. Docket: 1327.0440006

Affidavit Pursuant to 37 C.F.R. § 1.47

(Exhibit A to the Petition for Waiver Under 37 C.F.R. § 1.183 of the requirement under 37 C.F.R. § 1.48(a)(3) for a re-executed Declaration of Martin J. MacPhee)

Commissioner for Patents Washington, D.C. 20231

Sir:

The undersigned declares that Sterne, Kessler, Goldstein & Fox P.L.L.C., as agents for the American National Red Cross, has made a diligent effort to obtain Martin J. MacPhee's signature on the declaration as required by 37 C.F.R. § 1.64. Dr. MacPhee is an inventor on the above captioned application. Despite repeated efforts, Applicants were unable to obtain an executed declaration from Dr. MacPhee. The steps taken to obtain the executed declaration are detailed below.

April 9, 2003:

I sent an explanatory letter to Dr. MacPhee accompanied by a copy of the declaration, the claims as originally filed and any amendments filed in the U.S. Patent and Trademark Office (Exhibit B). A copy of the specification was sent to Dr. MacPhee on June 2, 2001. The letter was sent by Federal Express.

April 18, 2003:

I sent a reminder letter accompanied by a copy of the declaration to

Dr. MacPhee (Exhibit C). The letter was sent by Federal Express.

May 5, 2003:

I sent an additional reminder letter accompanied by a copy of the

declaration to Dr. MacPhee (Exhibit D). The letter was sent by

Federal Express.

June 3, 2003:

I forwarded a copy of the currently pending claims in the above-

captioned application and an additional copy of the declaration to Dr.

MacPhee (Exhibit E).

Despite our numerous efforts, we are unable to produce the executed declaration of Dr. MacPhee. In view of my correspondence to Dr. MacPhee, I submit that he is unwilling or unavailable to sign the declaration.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd

Attorney for Applicants Registration No. 39,967

Date:_

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

SKGF_DC1:161850.1



Robert Greene Sterne RODERT Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Rav Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert John M. Covert Linda E. Alcorn Robert C. Millonig Lawrence B. Bugalsky Donald J. Featherston Michael V. Messinger

Judith U. Kim Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heldi L. Kraus Edward W. Yee Albert L. Ferro* Oonald R. Banowit Peter A. Jackman Molly A. McCall Teres all J. Adadler Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Floyd Thomas C. Fiala Pden L. Del Puopo Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich* Jane Shershenövich* Lawrence J. Carroll* George S. Bardmesser Daniel A. Kiein* Rodney G. Maze Jason D. Eisenberg Michael A. Specht* Andrea J. Kamage Tracy L. Muller* Jon E. Wright*

LuAnne M. Yuricek*

Registered Patent Agents • Karen R. Markowicz Nancy J. Leith
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Appelliance G. Mr. Aaron L. Schwartz
Angelique G. Uy
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Robert A. Schwartzman
John J. Figueroa
Timothy A. Dowle Timothy A. Doyle Jennifer R. Mahalingappa Jeffrey S. Lundgren Victoria S. Rutherford

Exhibit B for Pet: tion for waiver U.S. Apple 08/479.

08/479,038

Of Counsel Kenneth C. Bass III

*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

FILE COPY

April 9, 2003

WRITER'S DIRECT NUMBER: (202) 772-8508 INTERNET ADDRESS: EFLOYD@SKGF.COM

Dr. Martin J. MacPhee CLEARANT, INC. 401 Professional Drive Gaithersburg, MD 20879 RECEIVED

AUG 1 5 2003

OFFICE OF PETITIONS

via Federal Express

Re:

Formal Documents for Correction of Inventorship

ARC Ref:

ARC 041 series

Our Ref:

1327.0680000/JAG/EEF

Dear Dr. MacPhee:

We have enclosed for your review and execution documents necessary for correcting inventorship in the above-captioned series of applications. Our inventorship analysis of the ARC's fibrin sealant technology indicates that you should continue to be named as a co-inventor on U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078. However, our analysis indicates that corrections of inventorship need to be made in each of these applications (for details, please see the enclosed chart).

The currently-pending applications in the above-captioned series are identical except for the claims and the amendments. The specification of the applications was sent to you on June 2, 2001, with the documents necessary to correct inventorship in U.S. Application No. 08/486,048. Therefore, with this letter, we only enclose copies of the claims as originally filed and any amendments to the applications filed with the U.S. Patent and Trademark Office, as well as any documents necessary for effecting correction of inventorship. Please let us know if you need an additional copy of the specification, and we will forward it to you.

For each of U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078 we ask that you review and execute A Combined Declaration and Power of Attorney. Please carefully review the Declaration/Power of Attorney document with any information that we have entered onto it. You should fill in any missing information marked by "X". By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which you customarily receive mail; either the home or business address is acceptable as a mailing address. After you have completed the review of the Dr. Martin J. MacPhee April 9, 2003 Page 2

patent application, any amendments, and Declaration/Power of Attorney, and if the information in the Declaration/Power of Attorney is correct and complete, you should sign and date the Declaration/Power of Attorney where indicated. If any corrections are made, please initial and date the corrections in the margin.

Every person who signs a document that is submitted to the USPTO makes a certification under 37 C.F.R. § 10.18(b). A copy of 37 C.F.R. § 10.18(b) and (c) is attached. Every individual who signs the enclosed documents should review this rule.

If you have any questions, or if the documents do not appear to be in order, please contact us immediately. Otherwise, we ask that you return the executed documents to us by *April 14*, 2003 via Federal Express.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

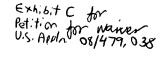
Eldora Ellison Floyd

EEF:M-G:sep Enclosures

cc: Robert Dell'Orco, Ph.D. (w/enclosures)

Carol C. Lavrich (w/o enclosures)

SKGF_DC1:119603.1





Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcom Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone Michael V. Messinger

Judith U, Kim Timothy J, Shea, Jr. Patrick E, Garrett Heldi L, Kraus Edward W, Yee Albert L, Ferro* Donald R, Banowit Peter A, Jackman Molly A, McCall Teresa U, Medler Jeffrey S, Weaver Kendrick P, Patterson Vincent L, Capuano Albert J, Fasulo II* Eddora Ellison Floyd Thomas C, Flala Brian J, Del Buono Virgil Lee Beaston* Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Joseph S. Ostroff Frank R. Cottingham Christine M. Lhuller Rae Lynn Prengaman Jane Shershenovich* Lawrence J. Carroll* George S. Bardmesser Daniel A. Klein* Rodney G. Maze Jason D. Elsenberg Michael A. Specht* Andrea J. Kamage Tracy L. Muller* Jon E. Wright* LuAnne M. Yuricek*

Registered Patent Agents*
Karen R. Markowko:
Nancy J. Leith
Ann E. Summerfield
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Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherford

Of Counsel Kenneth C. Bass III Lisa A. Dunner Evan R. Smith

*Admitted only in <u>Maryland</u>

* Admitted only in Virginia

• Practice Limited to
Federal Agencies

REMINDER

April 9, 2003 April 18, 2003

WRITER'S DIRECT NUMBER: (202) 772-8508 INTERNET ADDRESS: EFLOYD@SKGF.COM

via Federal Express

Dr. Martin J. MacPhee CLEARANT, INC. 401 Professional Drive Gaithersburg, MD 20879

Re:

Formal Documents for Correction of Inventorship

ARC Ref:

ARC 041 series

Our Ref:

1327.0680000/JAG/EEF

Dear Dr. MacPhee:

We have enclosed for your review and execution documents necessary for correcting inventorship in the above-captioned series of applications. Our inventorship analysis of the ARC's fibrin sealant technology indicates that you should continue to be named as a co-inventor on U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078. However, our analysis indicates that corrections of inventorship need to be made in each of these applications (for details, please see the enclosed chart).

The currently-pending applications in the above-captioned series are identical except for the claims and the amendments. The specification of the applications was sent to you on June 2, 2001, with the documents necessary to correct inventorship in U.S. Application No. 08/486,048. Therefore, with this letter, we only enclose copies of the claims as originally filed and any amendments to the applications filed with the U.S. Patent and Trademark Office, as well as any documents necessary for effecting correction of inventorship. Please let us know if you need an additional copy of the specification, and we will forward it to you.

For each of U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078 we ask that you review and execute A Combined Declaration and Power of Attorney. Please carefully review the Declaration/Power of Attorney document with any information that we have entered onto it. You should fill in any missing information marked by "X". By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which you customarily receive mail; either the home or business address is acceptable as a mailing address. After you have completed the review of the

Dr. Martin J. MacPhee April 9, 2003 Page 2

patent application, any amendments, and Declaration/Power of Attorney, and if the information in the Declaration/Power of Attorney is correct and complete, you should sign and date the Declaration/Power of Attorney where indicated. If any corrections are made, please initial and date the corrections in the margin.

Every person who signs a document that is submitted to the USPTO makes a certification under 37 C.F.R. § 10.18(b). A copy of 37 C.F.R. § 10.18(b) and (c) is attached. Every individual who signs the enclosed documents should review this rule.

If you have any questions, or if the documents do not appear to be in order, please contact us immediately. Otherwise, we ask that you return the executed documents to us by *April 14, 2003* via Federal Express.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd

EEF:M-G:sep Enclosures

cc: Robert Dell'Orco, Ph.D. (w/enclosures)

Carol C. Lavrich (w/o enclosures)

SKGF_DC1:119603.1



Robert Greene Sterne Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonio Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone Michael V. Messinger

Judith U. Kim Timothy J. Shea, Ir. Patrick E. Garrett Heldl L. Kraus Edward W. Yee Albert L. Ferro* Donald R. Banowit Donald R. Banowit Peter A. Jackman Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Floyd Thomas C. Fiala Brian J. Del Buono Virgil Lee Beaston

Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rodney G. Maze Jason D. Eisenberg Michael A. Spechi Andrea J. Kamage Tracy L. Muller Jon E. Wright

Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich* Lawrence J. Carroll* George S. Bardmesser Daniel A. Klein*

LuAnne M. Yuriçek'

Registered Patent Agents -Karen R. Markowicz Nancy J. Leith Ann E. Summerfield Helene C. Carlson Gaby L. Longsworth Matthew J. Dowd Aaron L. Schwartz Aaron L. Schwartz
Angelique G. Uy
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Robert A. Schwartzman
John J. Figueroa
Timothy A. Doyle
Jennifer R. Mahalingappa Exhibit D for Petition for Waiver US APPI2 08/479,038

Teresa A. Colella Jeffrey S. Lundgrein Victoria S. Rutherford

Ol Counsel Kenneth C. Bass (II Lisa A. Dunner Evan R. Smith

*Admitted only in Maryland Admitted only in Virginia •Practice Limited to Federal Agencies

REMINDER

April 9, 2003

WRITER'S DIRECT NUMBER: (202) 772-8508 INTERNET ADDRESS: EFLOYD@SKGF.COM

via Federal Express

Dr. Martin J. MacPhee CLEARANT, INC. 401 Professional Drive Gaithersburg, MD 20879

Re:

Formal Documents for Correction of Inventorship

ARC Ref:

ARC 041 series

Our Ref:

1327.0680000/JAG/EEF

Dear Dr. MacPhee:

We have enclosed for your review and execution documents necessary for correcting inventorship in the above-captioned series of applications. Our inventorship analysis of the ARC's fibrin sealant technology indicates that you should continue to be named as a co-inventor on U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078. However, our analysis indicates that corrections of inventorship need to be made in each of these applications (for details, please see the enclosed chart).

The currently-pending applications in the above-captioned series are identical except for the claims and the amendments. The specification of the applications was sent to you on June 2, 2001, with the documents necessary to correct inventorship in U.S. Application No. 08/486,048. Therefore, with this letter, we only enclose copies of the claims as originally filed and any amendments to the applications filed with the U.S. Patent and Trademark Office, as well as any documents necessary for effecting correction of inventorship. Please let us know if you need an additional copy of the specification, and we will forward it to you.

For each of U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078 we ask that you review and execute A Combined Declaration and Power of Attorney. Please carefully review the Declaration/Power of Attorney document with any information that we have entered onto it. You should fill in any missing information marked by "X". By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which you customarily receive mail; either the home or business address is acceptable as a mailing address. After you have completed the review of the Dr. Martin J. MacPhee April 9, 2003 Page 2

patent application, any amendments, and Declaration/Power of Attorney, and if the information in the Declaration/Power of Attorney is correct and complete, you should sign and date the Declaration/Power of Attorney where indicated. If any corrections are made, please initial and date the corrections in the margin.

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Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd

EEF:M-G:sep Enclosures

cc:

Robert Dell'Orco, Ph.D. (w/enclosures)

Carol C. Lavrich (w/o enclosures)

SKGF_DC1:119603.1



Robert Greene Steme Edward J. Kessler Jorge A. Goldstein David K.S. Comwell Robert W. Esmond Tracy-Gene G. Durkin Michele A. Cimbala Michele A. Cimbala Michele B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcom Robert C. Millonig Lawrence B. Bugalsky Donald J. Featherstone

Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heldi L. Kraus Edward W. Yee Albert L. Ferro* Donald R. Banowit Peter A. Jackman Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Pattersei Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Floyd Thomas C. Flala Brian J. Del Buono Virgil Lee Beaston* Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Joseph S. Ostroff Frank R. Cottlingham Christine M. Lhuller Rae Lynn Prengaman Jane Shershenovich* Lawrence J. Carroll* George S. Bardmesser Daniel A. Klein* Rodney G. Maze Jason D. Elsenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller* Jon E. Wright*

r

LuAnne M. Yuricek* John J. Figueroa Ann E. Summerfield

Registered Patent Agents Karen R. Markowicz
Nancy J. Lelth
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angeiique G. Liy
Mary B. Tung
Kartina Y. Pel
Bryan L. Skelton
Robert A. Schwartzman
Timothy A. Doyle
Jennifer R. Mahalingappa

V.S. Apple 08/477, 038

Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Eric D. Haves

Exhibit E for Pet. Tim for Waire

Of Counsel Kenneth C. Bass III Lisa A. Dunner

*Admitted only in Maryland *Admitted only in Virginia *Practice Limited to Federal Agencies

FILE COPY

June 3, 2003

WRITER'S DIRECT NUMBER: (202) 772-8508
INTERNET ADDRESS: EFLOYD@SKGF.COM

via Federal Express

Dr. Martin J. MacPhee CLEARANT, INC. 401 Professional Drive Gaithersburg, MD 20879

ARC's Patent Applications and Patents Relating to its Fibrin-Sealant Technology

ARC Ref: ARC 041 series

1000 000000/11/0/200

Our Ref:

1327.0680000/JAG/EEF

Dear Dr. MacPhee:

Re:

Further to Dr. Robert Dell'Orco's request, we are forwarding to you copies of the currently pending or issued claims in the ARC's applications and patents relating to supplemented fibrinsealant compositions (U.S. Patent Nos. 6,054,122, 6,117,425, 6,197,325, and 6,559,119 B1; and U.S. Application Nos. 08/474,078, 08/479,038, 08/485,883 and 08/485,898). The currently-pending applications and issued patents in the above-captioned series are identical except for the claims. The specification of the applications and patents was sent to you on June 2, 2001, with the documents necessary to correct inventorship in U.S. Application No. 08/486,048.

For each of U.S. Application Nos. 08/479,038; 08/485,883; 08/485,898 and 08/474,078 we also enclose A Combined Declaration and Power of Attorney for your review and execution. Please carefully review the Declaration/Power of Attorney document with any information that we have entered onto it. You should fill in any missing information marked by "X". By "residence" address is meant the city and state of residence, or, if residence is not in the United States, city and country of residence. The "mailing" address is the (full) address at which you customarily receive mail; either the home or business address is acceptable as a mailing address. After you have completed the review of the patent application, any amendments, and Declaration/Power of Attorney, and if the information in the Declaration/Power of Attorney is correct and complete, you should sign and date the Declaration/Power of Attorney where indicated. If any corrections are made, please initial and date the corrections in the margin.

Dr. Martin J. MacPhee June 3, 2003 Page 2

Every person who signs a document that is submitted to the USPTO makes a certification under 37 C.F.R. § 10.18(b). A copy of 37 C.F.R. § 10.18(b) and (c) is attached. Every individual who signs the enclosed documents should review this rule.

If you have any questions, or if the documents do not appear to be in order, please contact us immediately. Otherwise, we ask that you return the executed documents to us by *June 16, 2003* via Federal Express.

Very truly yours,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Eldora Ellison Floyd

EEF:M-G:sep Enclosures

cc: Robert Dell'Orco, Ph.D. (w/enclosures)

Carol C. Lavrich (w/o enclosures)

SKGF_DC1:140505.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

Supplemented and Unsupplemented For:

Tissue Sealants, Methods of Their

Production and Use

Art Unit: 1643

Marshall, A.

Atty. Docket: 1327.0440006

Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor

Commissioner for Patents Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed: Muse M. Huy Date: 842173
Wilson H. Burgess

SKGF_DC1:14188.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For:

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Art Unit:

1643

Examiner:

Marshall, A.

Date: 6/13/2003

Atty. Docket: 1327.0440006

Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor

Commissioner for Patents Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

SKGF_DC1:14176.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For: Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Art Unit: 1643

Examiner: Marshall, A.

Atty. Docket: 1327.0440006

Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor

Commissioner for Patents Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Cana Tian

Gene Liau

SKGF_DC1:14189.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For:

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Art Unit:

1643

Marshall, A.

Atty. Docket: 1327.0440006

Statement under 37 C.F.R. § 1.48(a)(2) of A Person To Be Added Or Deleted As An Inventor

Commissioner for Patents Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed:

Date: 04-14-03

SKGF_DC1:14191.1

In re application of:

Drohan et al.

Appl. No. 08/479,038

Filed: June 7, 1995

For:

Supplemented and Unsupplemented

Tissue Sealants, Methods of Their

Production and Use

Art Unit:

1643

Examiner:

Marshall, A.

Atty. Docket: 1327.0440006

Consent of the Assignee under 37 C.F.R. § 1.48(a)(5)

Commissioner for Patents Washington, D.C. 20231

Sir:

The American National Red Cross, assignee of Drs. William N. Drohan's and Martin J. MacPhee's entire right, title and interest, each an originally named inventor, consents to the change in inventorship from William N. Drohan and Martin J. MacPhee to William N. Drohan, Martin J. MacPhee, Hernan Nunez, Wilson H. Burgess, Thomas Maciag and Gene Liau. I have read and understand 37 C.F.R. § 10.18(b).

> For: The American National Red Cross Type or Print Name: ___ ROBERT DELL'ORCO, Ph.D. TECHNOLOGY TRANSFER OFFICER

Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: William N. Drohan and Martin J. MacPhee
Application No./Patent No.: 08/479,038 Filed/Issue Date: June 7, 1995
Entitled: Supplemented and Unsupplemented Tissue Sealants, Methods of Their Production and Use
The American National Red Cross , a non-profit corporation (Name of Assignee) , Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:
1. [X] the assignee of the entire right, title, and interest, or
2. [] an assignee of an undivided part interest
in the patent application/patent identified above by virtue of either:
A. [X] An Assignment from the inventor(s) of the patent application/patent identified above. The assignmen was recorded in the Patent and Trademark Office at Reel <u>7670</u> , Frame <u>0700</u> , or for which a copy thereof is attached.
OR B. [] A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:
1. From: To: The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached. 2. From: To: To: The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
3. From: To: The document was recorded in the Patent and Trademark Office at Reel, or for which a copy thereof is attached. [] Additional documents in the chain of title are listed on a supplemental sheet.
Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.
Date: $\frac{7/20/00}{20}$
Name: Robert Dell'Orco, Ph.D.
Title: Technology Transfer Associate
ignature: Y (alut Will Orco

P:\USERS\DENISEB\CERTIFIC\13270446 SKGF Rev.3/31/00 mac

Combined Declaration and Power of Attorney for Patent Application

Docket Number: <u>1327.0440006/JAG/EEF</u>

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Supplemented and Unsupplemented Tissue Sealants, Methods of Their Production and Use**, the specification of which is attached hereto unless the following box is checked:

was filed on <u>June 7, 1995</u>; as United States Application Number or PCT International Application Number <u>08/479,038</u>; and was amended on <u>October 5, 1995</u>; <u>July 7, 1997</u>; <u>April 30, 1998</u>; <u>August 23, 1999</u>; and <u>August 4, 2000</u>.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	·		Priority	Claimed
(Application No.)	(Country)	(Day/Month/Year Filed)	□ Yes	□ No
(Application No.)	(Country)	(Day/Month/Year Filed)	□ Yes	□ No

I hereby appoint the following attorney(s) and/or agent(s) associated with CUSTOMER NUMBER 28393 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, such attorneys currently being:

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michael A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; and Robert C. Millonig, Esq., Reg. No. 34,395.

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, N.W. Suite 600 Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	William N. DROHAN	
Signature of sole or first inventor	William Nalasan	Date 4/21/03
Residence	Springfield, Virginia	(/-/
Citizenship	United States of America	
Mailing Address	8417 Oakford Drive, Springfield, VA 22152	
Full name of second inventor	Martin J. MacPHEE	
Signature of second inventor		Date
Residence	Montgomery Village, Maryland	
Citizenship	Canada	
	0071 Lake Landing Bood, Montgomer, Village A	4D 20886
Mailing Address	9971 Lake Landing Road, Montgomery Village, N	

Full name of third inventor	Hernan NUNEZ	
Signature of third inventor		Date
Residence	Derwood, Maryland	
Citizenship	Chile	
Mailing Address	16720 Briardale Road, Derwood, MD 20855	
Full name of fourth inventor	Gene LIAU	
Signature of fourth inventor		Date
Residence	Darnestown, Maryland	
Citizenship	United States of America	
Mailing Address	14900 Kelley Farm Drive, Darnestown, MD 20874	
Full name of fifth inventor	Wilson H. BURGESS	
Signature of fifth inventor	Wilson A. Suryen	Date 042103
Residence	Clifton, Virginia	
Citizenship	United States of America	
Mailing Address	12824 Great Oak Lane, Clifton, VA 20124	

Signature of seventh inventor	Date
Residence Freeport, Maine	
Citizenship United States of America	
Mailing Address 65 Lambert Road, Freeport, ME 04032	

SKGF_DC1:12566.1

(Supply similar information and signature for subsequent joint inventors, if any)

Combined Declaration and Power of Attorney for Patent Application

Docket Number: 1327.0440006/JAG/EEF

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Supplemented and Unsupplemented Tissue Sealants, Methods of Their Production and Use**, the specification of which is attached hereto unless the following box is checked:

was filed on <u>June 7, 1995</u>; as United States Application Number or PCT International Application Number <u>08/479,038</u>; and was amended on <u>October 5, 1995</u>; <u>July 7, 1997</u>; <u>April 30, 1998</u>; <u>August 23, 1999</u>; <u>and August 4, 2000</u>.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	•		Priority	Claimed
(Application No.)	(Country)	(Day/Month/Year Filed)	□ Yes	□ No
			□ Yes	□ No
(Application No.)	(Country)	(Day/Month/Year Filed)		

I hereby appoint the following attorney(s) and/or agent(s) associated with CUSTOMER NUMBER 28393 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, such attorneys currently being:

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; and Robert C. Millonig, Esq., Reg. No. 34,395.

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, N.W. Suite 600 Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	William N. DROHAN	
Signature of sole or first inventor		Date
Residence	Springfield, Virginia	
Citizenship	United States of America	
Mailing Address	8417 Oakford Drive, Springfield, VA 22152	
Full name of second inventor	Martin J. MacPHEE	
Full name of second inventor Signature of second inventor	Martin J. MacPHEE	Date
	Martin J. MacPHEE Montgomery Village, Maryland	Date
Signature of second inventor		Date
Signature of second inventor Residence	Montgomery Village, Maryland	Date

Full name of third inventor	Hernan NUNEZ	
Signature of third inventor	Thung /	Date 6/13/2003
Residence	Derwood, Maryland	
Citizenship	Chile	
Mailing Address	16720 Briardale Road, Derwood, MD 20855	
Full name of fourth inventor	Gene LIAU	
Signature of fourth inventor		Date
Residence	Darnestown, Maryland	
Citizenship	United States of America	
Mailing Address	14900 Kelley Farm Drive, Damestown, MD 20874	
Full name of fifth inventor	Wilson H. BURGESS	
Signature of fifth inventor		Date
Residence	Clifton, Virginia	
Citizenship	United States of America	
Mailing Address	12824 Great Oak Lane, Clifton, VA 20124	

Full name of seventh inventor	Thomas MACIAG		
Signature of seventh inventor		Date	
Residence	Freeport, Maine		
Citizenship	United States of America		
Mailing Address	65 Lambert Road, Freeport, ME 04032		

SKGF_DC1:12566.1

(Supply similar information and signature for subsequent joint inventors, if any)

Combined Declaration and Power of Attorney for Patent Application

Docket Number: <u>1327.0440006/JAG/EEF</u>

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Supplemented and Unsupplemented Tissue Sealants, Methods of Their Production and Use**, the specification of which is attached hereto unless the following box is checked:

was filed on <u>June 7, 1995</u>;
as United States Application Number or PCT International Application Number <u>08/479,038</u>; and
was amended on <u>October 5, 1995</u>; <u>July 7, 1997</u>; <u>April 30, 1998</u>; <u>August 23, 1999</u>; <u>and August 4, 2000</u>.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority	Claimed
(Application No.)	(Country)	(Day/Month/Year Filed)	□ Yes	□ No
(Application No.)	(Country)	(Day/Month/Year Filed)	□ Yes	□ No

I hereby appoint the following attorney(s) and/or agent(s) associated with CUSTOMER NUMBER 28393 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, such attorneys currently being:

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg.No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; and Robert C. Millonig, Esq., Reg. No. 34,395.

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, N.W. Suite 600 Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	William N. DROHAN	
Signature of sole or first inventor	1	Date
Residence	Springfield, Virginia	
Citizenship	United States of America	
Mailing Address	8417 Oakford Drive, Springfield, VA 22152	
Full name of second inventor	Martin J. MacPHEE	
Full name of second inventor Signature of second inventor		Date
		Date
Signature of second inventor		Date
Signature of second inventor Residence	Montgomery Village, Maryland	

Derwood, Maryland Chile 16720 Briardale Road, Derwood, MD 20855	Date
Chile	
16720 Briardale Road, Derwood, MD 20855	
Gene LIAU	
far /	Date April 12, 2003
Darnestown, Maryland	
United States of America	
14900 Kelley Farm Drive, Damestown, MD 20874	
Wilson H. BURGESS	
	Date
Clifton, Virginia	
United States of America	
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Full name of seventh inventor	Thomas MACIAG	
Signature of seventh inventor		Date
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Citizenship	United States of America	
Mailing Address	65 Lambert Road, Freeport, ME 04032	

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Combined Declaration and Power of Attorney for Patent Application

Docket Number: 1327.0440006/JAG/EEF

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		Priority	Claimed
(Country)	(Day/Month/Year Filed)	□ Yes	□ No
(Country)	(Day/Month/Year Filed)	□ Yes	□ No
			(Country) (Day/Month/Year Filed)

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Signature of sole or first inventor	Date	
Residence	Springfield, Virginia	
Citizenship	United States of America	
Mailing Address	8417 Oakford Drive, Springfield, VA 22152	
Full name of second inventor	Martin J. MacPHEE	
Full name of second inventor Signature of second inventor		
	Martin J. MacPHEE	
Signature of second inventor	Martin J. MacPHEE Date	
Signature of second inventor Residence	Martin J. MacPHEE Date Montgomery Village, Maryland	

Full name of third inventor	Hernan NUNEZ	
Signature of third inventor		Date
Residence	Derwood, Maryland	
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Full name of fourth inventor	Gene LIAU	
Signature of fourth inventor		Date
Residence	Darnestown, Maryland	
Citizenship	United States of America	
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Full name of fifth inventor	Wilson H. BURGESS	
Signature of fifth inventor		· Date
Residence	Clifton, Virginia	
Citizenship	United States of America	
Mailing Address	12824 Great Oak Lane, Clifton, VA 20124	

Appl. No. 08/479,038 Docket No. 1327.0440006/JAG/EEF

ignature of seventh inventor	W Date 4-03
Residence	Freeport, Maine
Citizenship	United States of America
Mailing Address	65 Lambert Road, Freeport, ME 04032

SKGF_DC1:12566.1

(Supply similar information and signature for subsequent joint inventors, if any)